

## **REMARKS/ARGUMENTS**

### **1.) Claim Amendments**

The Applicants have amended claim 12 to make minor non-substantive changes and to make that claim consistent with independent claim 15; *i.e.*, the step of re-routing a media flow between the subscribers is performed for the media flow that involves the first subscriber for which monitoring is desired, which corresponds to the terminology used in the third limitation of independent claim 15 as originally filed; *therefore*, no new matter has been added to the claims. A similar change has been made to claim 20.

The other changes to claim 12 do not affect or change the scope of the claimed functionality, but only reflect that the inventive method is directed to an IMS network (a similar change has been made to claims 15 and 20). In particular, it is noted that the changes to the claims do not affect the scope of the claim limitation distinguished hereinafter over the teachings of the prior art reference cited by the Examiner. Finally, claim 13 has been added and is dependent from claim 12.

### **2.) Withdrawal of Prior Claim Rejections**

The Applicants thank the Examiner for accepting the arguments presented in response to the prior office action, and withdrawing the claim rejections asserted therein.

### **3.) Claim Rejections – 35 U.S.C. §102(e)**

The Examiner has rejected claims 12, 14-16 and 18-22 as being anticipated by Cope, *et al.* (U.S. Patent No. 7,055,174). The Applicants traverse the rejections.

It is important to remember that anticipation requires that the disclosure of a single piece of prior art reveals every element, or limitation, of a claimed invention. Furthermore, the limitation that must be met by an anticipatory reference are those set forth in each statement of function in a claims limitation, and such a limitation cannot be met by an element in a reference that performs a different function, even though it may be part of a device embodying the same general overall concept. Cope fails to disclose

each and every limitation of claims 12, 14-16 and 18-22 and, therefore, those claims are not anticipated thereby.

Claim 12 recites:

12. A method for monitoring media flow in [[a]] an IP Multimedia Subsystem (IMS) telecommunication network having a control domain for handling session control and a bearer domain for handling media flow, comprising the steps of:

storing, in a database in the control domain, identification of a first mobile subscriber for which monitoring is desired;

setting up a connection between the first subscriber and a second subscriber, including the step of sending an indicator from the control domain to the bearer domain indicating that the media flow that involves the first subscriber is to be monitored;

re-routing a media flow between the subscribers for which monitoring is desired via a server function in the bearer domain, the server function at a fixed location that is independent from a change of location of the subscribers involved in the media flow; and,

monitoring the media flow that passes the server function at the fixed location. (emphasis added)

In rejecting claim 12, the Examiner asserted that Cope teaches the step of sending an indicator from the control domain to the bearer domain indicating that the media flow that involves the first subscriber is to be monitored, referring to Figure 4, block 76, and column 8, lines 43-49. The Applicants have reviewed the referenced portions of Cope, however, and can find no such teaching. Block 76 of Figure 4 merely indicates that a wiretap-message is sent to a controller. Column 8, lines 43-49, relating thereto, does not describe the sending of a an indicator from a control domain to a bearer domain. Moreover, an electronic search of Cope fails to yield a single occurrence of the terms "control," "bearer" or "domain." Therefore, whereas anticipation requires that the disclosure of a single piece of prior art reveals every element, or limitation, of a claimed invention, Cope can't possibly anticipate claim 12.

Whereas independent claims 15 and 20 recite an analogous limitation, Cope fails to anticipate those claims. Furthermore, whereas claims 14 and 23 are dependent from claim 12, claims 16, 18 and 19 are dependent from claim 15, and claims 21 and 22 are

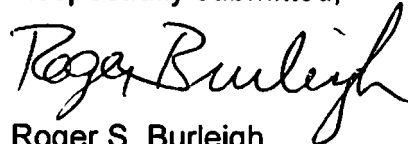
dependent from claim 20, and include the limitations of their respective base claims, they are also not anticipated by Cope.

### **CONCLUSION**

In view of the foregoing amendments and remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 12, 14-16 and 18-22.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



Roger S. Burleigh  
Registration No. 40,542

Date: January 28, 2010

Ericsson Inc.  
6300 Legacy Drive, M/S EVR 1-C-11  
Plano, Texas 75024

(972) 583-5799  
roger.burleigh@ericsson.com